

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.
SECURITIES LITIGATION

CASE NO. 4:19-CV-00957

CLASS PLAINTIFFS' MOTION TO SEAL THEIR EXPERT MOTION PAPERS

Class Plaintiffs in the above-captioned action respectfully request leave to file under seal unredacted copies of their four motions to exclude certain opinion testimony of (1) Robert Rasor; (2) Edward James Fetkovich; (3) Charles Whitehead and (4) John Fiebig and the Exhibits accompanying those motions and accompanying exhibits (Dkt. Nos. 513, 516, 519 and 525) (the “Expert Motion Papers”). The Defendants who disclosed these experts do not oppose this motion.

As grounds for this motion, Class Plaintiffs state as follows:

1. On August 17, 2021, the Court entered the Stipulation and Protective Order (“PO”), which governs the handling of confidential information exchanged in discovery in this matter.
2. According to Paragraph 24 of the PO, “[i]f any party submits Confidential Discovery Material or Confidential Attorney Eyes Only Discovery Material to the Court, the submission **must** be filed only under seal on CM/ECF if filed electronically[.]” PO at

¶24 (emphasis added).

3. The Expert Motion Papers contain, describe and refer to non-public documents and information that has been designated by the parties and nonparties as Confidential Discovery Material pursuant to the PO.

4. In a December 21, 2023 videoconference, prior to filing of their Expert Motion Papers, counsel for the defendants who disclosed the subject experts and counsel for the individual action plaintiffs each indicated they do not oppose the relief sought by this motion. Class counsel requested the assent of the remaining defendants by email on December 21, 2023, but did not receive a response from all defense counsel prior to the December 22 filing deadline.

5. Yesterday, Class Plaintiffs filed the Expert Motion Papers under seal. Class Plaintiffs will file public, redacted versions of the Expert Motion Papers within five (5) business days.

6. Class Plaintiffs are bound by the provisions of the agreed-upon Protective Order that this Court ordered on August 17, 2021, and therefore must seek leave to file their Expert Motion Papers under seal.¹

THEREFORE, Class Plaintiffs request that the Court grant their request for leave to file under seal unredacted copies of their Expert Motion Papers.

¹ Class Plaintiffs note that under Paragraph 14 of the Protective Order, any party may seek a meet and confer within five days of filing of documents under seal to discuss whether any or all of the documents require being submitted under seal, or should remain under seal, in accordance with the law governing the sealing of documents. If the parties are unable to reach agreement, any party objecting to the filing under seal may file a motion to unseal.

Dated: December 23, 2023 Respectfully submitted,

/s/ Andrew J. Entwistle

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CERTIFICATE OF CONFERENCE

I certify that on December 21, 2023, counsel for Class Plaintiffs conferred by videoconference and by email (variously) with counsel for all Defendants and counsel for the Individual Action Plaintiffs regarding the substance of this Motion. Counsel for Defendants Dimitrievich and HPS Investment Partners, LLC did not respond to Class Plaintiffs' email. Counsel for all other parties indicated they do not oppose the specific relief sought by this Motion.

/s/ Andrew J. Entwistle
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